

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): James J. deBlanc; et al.

Confirmation No.: 9534

Application No.: 10/646,572

Examiner: Rahll, Jerry T.

Filing Date: Aug 23, 2003

Group Art Unit: 2874

Title: Planar Layer with Optical Path

Mail Stop  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- ( ) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
( ) No additional fee  
(X) Other: Response to Restriction Requirement (fee \$                     )

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	49	MINUS	49	= 0	X \$50	\$ 0
INDEP. CLAIMS	8	MINUS	8	= 0	X \$200	\$ 0
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$360	\$ 0
EXTENSION FEE	1ST MONTH \$120.00	2ND MONTH \$450.00	3RD MONTH \$1020.00	4TH MONTH \$1590.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Respectfully submitted,

James J. deBlanc; et al.

By William D. Davis

William D. Davis

Attorney/Agent for Applicant(s)

Reg. No. 38,428

Date: July 27, 2005

Date of Deposit: July 27, 2005

Typed Name: William D. Davis

Signature: William D. Davis



200206163-1

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

James J. de Blanc

Application No: 10/646,572

Filed: August 23, 2003

For: PLANAR LAYER WITH  
OPTICAL PATH

Examiner: Rahl, Jerry T.

Art Unit: 2874

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on

July 27, 2005

Date of Deposit

*William D. Davis*

William D. Davis

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the Restriction Requirement dated JUNE 27, 2005, applicant elects Group I including claims 1-23 and 38-46 with traverse.

The Examiner has divided claims 1-49 into 3 groups as follows:

Group I: 1-23 and 38-46

Group II: 24-27

Group III: 28-37 and 47-49

**I. Distinction of Groups I and II**

With respect to groups I and II, the Examiner has reasoned "inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects. In the instant case the different inventions have different modes of operation. [Group] I describes the optical path in a channel, [Group] II describes the path as in the planar layer." (06/27/2005 Restriction Requirement, p. 2)

Applicant respectfully submits that claims 1, 38 (Group I) and 24 (Group II) state: